

ELECTRONIC FILING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	08/508,048	Confirmation No.:	4145
Inventor	:	Werner Noack		
Filed	:	July 27, 1995	Patent No.:	PP9,573
Art Unit	:	1803	Issued:	June 11, 1996
Examiner	:	Howard J. Locker		
Title:	:	GROUND COVER ROSE PLANT NAMED 'FLOWER CARPET WHITE'		
Docket No.:	:	ROSN0.69917		
Customer No.	:	27629		

Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT UNDER 35 U.S.C. §255 & 37 C.F.R. §1.323

Dear Sir:

1. The patentee filed a Request for Certificate of Correction under 37 CFR §1.323 not 37 CFR §1.322 on July 20, 2005. Herein, the patentee respectfully files its second request.
2. Attached, in duplicate, is Form PTO—1050 (PTO/SB/44), with at least one copy being suitable for printing.
3. It is noted that errors appear in the above-identified patent of a clerical, typographical or minor nature or character, as more fully described as follows.

In the Title Page, Title (Item 54): delete "‘FLOWER CARPET WHITE’" and insert --‘NOASCHNEE’--.

At Column 1, lines 7-8: delete "‘Flower Carpet’" and insert --‘Noatraum’--.

At Column 1, lines 8-9: delete "which sometimes is known as the ‘Noatraum’ variety."

At Column 1, line 9: delete "‘Flower Carpet’" and insert --‘Noatraum’--.

At Column 1, line 18: delete "‘Flower Carpet’" and insert --‘Noatraum’--.

At Column 2, lines 5-6: delete "‘Flower Carpet White’" and insert --‘Noaschnee’--.

At Column 2, line 39: delete "‘Flower Carpet’" and insert --‘Noatraum’--.

The changes have been made in order to provide a varietal name consistent with that used in Europe and mentioned at Col. 2, lines 9-10. FLOWER CARPET and FLOWER CARPET WHITE are trade names used in the United States and not the varietal name. When the application was filed, the term FLOWER CARPET WHITE was inadvertently substituted for 'NOASCHNEE' only in the U.S. plant patent application. Elsewhere, outside the United States, the proper varietal name 'Noaschnee' has been used. Please note that this has been addressed in commonly owned U.S. Plant Patent Nos. PP7,282; PP10,084; PP10,239; and PP10,527 and Certificates of Correction were issued by the USPTO. Applicant submits that no new matter has been added and that reexamination of this patent should not be required for such correction.

4. Please send the Certificate to:

Name: Michael J. Moffatt
Address: FULWIDER PATTON LLP
200 Oceangate, Suite 1550
Long Beach, CA 90802
(562) 432-0453

5. Please charge our deposit account \$100.00 as payment for the certificate of correction fee under 37 C.F.R. §1.322(a). Also, if any additional fees are required in relation to this filing, please charge our Deposit Account No. 21-0800; likewise if any overpayment has been made, please credit our Deposit Account No. 21-0800.

6. Applicant also submits a copy of the Substitution of Attorney form which was filed on July 20, 2005.

Respectfully submitted,

FULWIDER PATTON LLP

By: /michael j. moffatt/
Michael J. Moffatt
Registration No. 39,304

MJM:spc
Fulwider Patton LLP
200 Oceangate, Suite 1550
Long Beach, CA 90802
Telephone: (562) 432-0453
Facsimile: (562) 435-6014
Customer No. 27629

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : PP9,573

Page 1 of 1

APPLICATION NO. : 08/508,048

ISSUE DATE : June 11, 1996

INVENTOR(S) : Werner Noack

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Title Page, Title (Item 54): delete "'FLOWER CARPET WHITE'" and insert
--'NOASCHNEE'--.

At Column 1, lines 7-8: delete "'Flower Carpet'" and insert --'Noatraum'--.

At Column 1, lines 8-9: delete "which sometimes is known as the 'Noatraum' variety."

At Column 1, line 9: delete "'Flower Carpet'" and insert --'Noatraum'--.

At Column 1, line 18: delete "'Flower Carpet'" and insert --'Noatraum'--.

At Column 2, lines 5-6: delete "'Flower Carpet White'" and insert --'Noaschnee'--.

At Column 2, line 39: delete "'Flower Carpet'" and insert --'Noatraum'--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : PP9,573

Page 1 of 1

APPLICATION NO. : 08/508,048

ISSUE DATE : June 11, 1996

INVENTOR(S) : Werner Noack

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Title Page, Title (Item 54): delete "'FLOWER CARPET WHITE'" and insert
--'NOASCHNEE'--.

At Column 1, lines 7-8: delete "'Flower Carpet'" and insert --'Noatraum'--.

At Column 1, lines 8-9: delete "which sometimes is known as the 'Noatraum' variety."

At Column 1, line 9: delete "'Flower Carpet'" and insert --'Noatraum'-- .

At Column 1, line 18: delete "'Flower Carpet'" and insert --'Noatraum'--.

At Column 2, lines 5-6: delete "'Flower Carpet White'" and insert --'Noaschnee'--.

At Column 2, line 39: delete "'Flower Carpet'" and insert --'Noatraum'--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.